

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

<u>Joan Charles,</u>	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	
	)	C.A. No. 04-11625-RWZ
<i>Ocwen Federal Bank, FSB;</i>	)	
<i>Ocwen Financial Corporation;</i>	)	
<i>Massachusetts Property Insurance</i>	)	
<i>Underwriting Association and One Call</i>	)	
<i>Insurance Agency, Inc.</i>	)	
<u><i>Defendants.</i></u>	)	

**PLAINTIFF, JOAN CHARLES', OPPOSITION TO EMERGENCY MOTION OF  
OCWEN LOAN SERVICING, LLC FOR PROTECTIVE ORDER**

NOW COMES the plaintiff in this action, Joan Charles (hereinafter "Plaintiff"), by and through her counsel, James Hoyt, Portnoy & Greene, P.C., and hereby opposes the Emergency Motion of defendant Ocwen Loan Servicing, LLC, successor to Ocwen Federal Bank, FSB, ("Ocwen"), for a Protective Order regarding deposition noticed by Plaintiff.

In support thereof, Plaintiff states as follows:

Plaintiff incorporates by reference her Opposition to defendants' Motions to Quash (docket entry 59, filed today, October 12, 2006) and further incorporates Plaintiff's Opposition to Ocwen's Motion for Extension of Time (docket entry 36, filed on June 19, 2006) as if contained herein.

Plaintiff briefly adds additional facts to her prior oppositions. Plaintiff filed her summary judgment motion on June 1, 2006. On or about June 12, 2006, Ocwen noticed the deposition of Plaintiff for June 19, 2006. Ocwen's response to Plaintiff's motion was originally due June 22, 2006. Plaintiff objected to Ocwen's motion to extend time in

order to conduct the deposition for the exact same reason that Ocwen and the other defendants now seek the Courts protection.

Ocwen has accused Plaintiff of violating the Court's scheduling order. This is apparently done with clairvoyance as the pending deadline for Plaintiff's responses to cross motions is not due until October 19, 2006.

WHEREFORE, Plaintiff requests that this Honorable Court deny Defendant's Emergency Motion for a protective order.

Respectfully Submitted,  
The Plaintiff,  
Joan Charles,  
By her Attorney,

s/ James

Hoyt

James Hoyt (BBO # 644651)  
Portnoy & Greene, P.C.  
Attorney for Plaintiff  
687 Highland Ave.  
Needham, MA 02494  
(781) 644-6050

Dated: October 12, 2006

### **CERTIFICATE OF SERVICE**

I, James Hoyt, hereby certify that a copy of the forgoing Opposition was served June 19, 2006 via the Court's ECF system to:

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s/ James Hoyt  
James Hoyt